

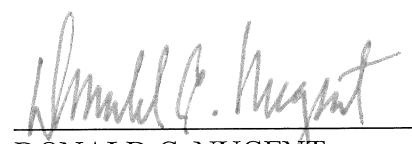
**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MILLENNIUM HEALTH, LLC,)	CASE NO. 1: 19 CV 2381
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	<u>ORDER ADOPTING</u>
)	<u>REPORT AND RECOMMENDATION</u>
CHRISTOPHER ROBERTS, <i>et al.</i> ,)	
)	
Defendants.)	

This case was referred to Magistrate Judge David A. Ruiz to conduct an evidentiary hearing on Plaintiff's request for preliminary injunction. Pursuant to this referral, Magistrate Ruiz issued a report and recommendation recommending that a preliminary injunction be denied. (ECF # 45). Plaintiff timely filed Objections to that Report and Recommendation. (ECF #46). Defendants filed a Brief in Opposition to the Plaintiff's objections, and Plaintiffs filed a Reply in support of those objections. (ECF #49, 52). Upon careful review of the Report and Recommendation, the Objections and all of the related briefs, the Court finds that the Magistrate's Order is well-supported and in accord with the applicable law. It is neither clearly erroneous, nor contrary to law, and therefore shall not be modified or set aside under Fed. R. Civ. P. 72(a).

The findings and conclusions contained in Magistrate Ruiz's Report and Recommendation are thorough and well-supported, and are, hereby, adopted for purposes of determining the appropriateness of a preliminary injunction.¹ Millennium has failed to establish by clear and convincing evidence that preliminary injunctive relief is warranted and the request for preliminary injunction, contained within the Complaint, is, therefore, DENIED. The case is set for trial on November 17, 2020 at 8:30 a.m.

IT IS SO ORDERED.



DONALD C. NUGENT
United States District Judge

DATED: May 29, 2020

¹

As noted by Magistrate Ruiz, the factual findings made when ruling on a motion for preliminary injunction are not binding in the underlying lawsuit. *PolyOne Corp. V. Kuta*, 67 F.Supp.3d 863, 869 (N.D. Ohio 2014)(citing University of Texas v. Camenisch, 451 U.S. 390, 395 (1981)).